

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

JAMES A. BOYD, ) CASE NO. C05-0020-JLR-MAT  
Plaintiff, )  
v. )  
JOSEPH LEHMAN, et al., ) ORDER RE-NOTING DEFENDANTS'  
Defendants. ) MOTION FOR SUMMARY  
 ) JUDGMENT  
 )

This is a civil rights action brought under 42 U.S.C. § 1983. On October 26, 2005, defendants' filed a motion for summary judgment which was noted on the Court's calendar for consideration on December 2, 2005. On November 7, 2005, plaintiff filed a motion to continue defendants' motion for summary judgment pursuant to Fed. R. Civ. P. 56(f). Plaintiff requested therein an additional 60 days to respond to defendants' motion. Defendants' opposed this request. On November 30, 2005, plaintiff filed a motion for leave to file excess pages in response to defendants' summary judgment motion. Plaintiff filed a second motion for leave to file excess pages on December 6, 2005, together with a 60 page response to defendants' summary judgment motion, various supporting documents, and a notice of withdrawal of his motion to continue defendants' summary judgment motion.

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01 The Court, having reviewed the entirety of this record, does hereby ORDER as follows:

02 (1) Plaintiff's motions for leave to file excess pages (Dkt. Nos. 45 and 47) are  
03 GRANTED. Plaintiff's over-length brief in opposition to defendants' motion for summary  
04 judgment and all supporting documents have been made a part of the record.

05 (2) Plaintiff's motion to continue defendants' summary judgment motion for 60 days  
06 (Dkt. No. 41) has been withdrawn at plaintiff's request. However, because plaintiff's response  
07 to defendants' summary judgment motion was received by the Court after the original noting date  
08 for that motion had passed, the Court deems it appropriate to continue defendants' summary  
09 judgment motion for a brief period of time to allow defendants time to file a reply brief in support  
10 of their motion should they choose to do so. Accordingly, defendants' summary judgment motion  
11 (Dkt. No. 39) is RE-NOTED for consideration on ***December 16, 2005***. Defendants shall file and  
12 serve any reply brief in support of their motion by that date.

13 (3) The Clerk is directed to send copies of this Order to plaintiff, to counsel for  
14 defendants, and to the Honorable James L. Robart.

15 DATED this 8th day of December, 2005.

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18 Mary Alice Theiler  
19 United States Magistrate Judge  
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